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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
ex rel. MARY HENDOW and
JULIE ALBERTSON,

Plaintiffs,

No. CIV S-03-0457 GEB DAD

v.

UNIVERSITY OF PHOENIX,

Defendant.

ORDER

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This case came before the court on April 17, 2009, for hearing on defendant's motion for a protective order with respect to the noticed deposition of Dr. John Sperling, the founder of the University of Phoenix and Executive Chairman of the Board of University's parent company, Apollo Group, Inc. (Doc. No. 221). Michael Rubin and Peter E. Leckman appeared for the relators. Kristopher P. Diulio appeared for defendant.

For the reasons stated in open court, defendant's motion for a protective order (Doc. No. 221) was granted in part and otherwise denied. The deposition of Dr. Sperling will be limited to five hours with appropriate breaks to be taken. The parties are directed to meet and

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1 confer and, if possible, reach agreement with respect to whether the deposition may be taken in
2 San Francisco and whether it will be conducted over one or two days.

3 IT IS ORDERED.

4 DATED: May 14, 2009.

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7 _____
8 DALE A. DROZD
9 UNITED STATES MAGISTRATE JUDGE

10 Ddad1/orders.civil/hendow0457.oah.041709